

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHARD CARLOCK, as Personal Representative
for the ESTATE OF CLARENCE SAUNDERS ,

Plaintiff,

vs.

Case No. 04-CV-72025
HON. GEORGE CARAM STEEH

ARDESHIR EMAMI SAID, M.D.,
and W. HART, R.N.,

Defendants.

_____ /

ORDER DISMISSING CLAIMS WITHOUT PREJUDICE PURSUANT TO
SEPTEMBER 8, 2005 ORDER (#20)

This court entered a September 8, 2005 Order granting plaintiff Estate of Clarence Saunders' former counsel's motion to withdraw, staying this matter for 45 days, through October 24, 2005, to allow plaintiff Estate to secure new counsel. The court ordered that this Michigan wrongful death action would be dismissed without prejudice if no other counsel filed an appearance on behalf of plaintiff Estate on or before October 24, 2005. See Shenkman v. Bragman, 261 Mich. App. 412, 682 N.W.2d 516 (2004) (affirming dismissal of Michigan wrongful death action filed by non-attorney personal representative as unauthorized practice of law). No attorney appearance has been filed. Accordingly,

Plaintiff Estate's claims are hereby DISMISSED without prejudice.

SO ORDERED.

s/George Caram Steeh

GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

Dated: October 25, 2005

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on October 25, 2005, by electronic and/or ordinary mail.

s/Josephine Chaffee
Secretary/Deputy Clerk